

Serial No. 10/813,517

Docket No.: KCC-15,622.1

REMARKS

Applicants' undersigned attorney thanks the Examiner for the Examiner's comments. Applicants respectfully request reconsideration of this patent application, particularly in view of the above Amendment and the following remarks. Currently, Claims 1-5 and 8-44 are pending, with Claims 30-44 withdrawn from consideration.

Amendments to the Claims

Claims 1-5 and 8-29 have been examined with no claims being allowed.

Claims 1 and 14 have each been amended by removing the explicit requirement of the mechanical tucking device being separate from the conveyor, and to include the limitation of the mechanical tucking device including two opposing assemblies, each assembly including at least one tucking blade on a rotary paddle or at least one tucking blade conveyed along a track that guides the at least one tucking blade a distance alongside the conveyor. The added limitations are supported by Claims 24 and 25. Claims 26-28 have been amended to depend from amended Claim 14. In view of the amendments to Claim 14, Applicants respectfully request cancellation of Claims 21-25.

No new matter has been added by this Amendment. No additional fee is due for this Amendment because the number of independent claims remains unchanged and the total number of claims has been reduced.

Claim Rejections - 35 U.S.C. §102**A. Maxton et al.**

The rejection of Claims 1, 4, 5, and 7-13 under 35 U.S.C. §102(e) as being anticipated by Maxton et al. (U.S. Patent No. 6,497,032, hereinafter "Maxton") is respectfully traversed.

Maxton fails to disclose each and every element or limitation of Applicants' amended Claim 1. More particularly, Maxton fails to disclose the use of a mechanical tucking device for pushing opposing side panels onto the body portion

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of a garment that includes two opposing assemblies, with each assembly including either at least one tucking blade on a rotary paddle or at least one tucking blade conveyed along a track that guides the tucking blade(s) a distance alongside the conveyor. Instead, the tucking mechanism described in Maxton includes helical skis affixed to the entry conveyor, the support structure, or partially or fully on the main folding drum. In contrast with the stationary helical skis in Maxton, the tucking blades recited in Applicants' Claim 1 are set in motion, either on a rotary paddle or conveyed along a track.

For at least the reasons presented above, Applicants respectfully submit that amended Claim 1 is not anticipated by Maxton. Because Claims 4, 5, and 7-13 depend from Claim 1, these claims are also not anticipated by Maxton. Thus, Applicants respectfully request withdrawal of this rejection.

B. Westphal et al.

The rejection of Claims 14-20, 23, and 25-28 under 35 U.S.C. §102(b) as being anticipated by Westphal et al. (U.S. Patent No. 4,739,910, hereinafter "Westphal") is respectfully traversed.

Westphal does not disclose each and every element or limitation of Applicants' amended Claim 14. Applicants' invention as recited in independent Claim 14 requires the mechanical tucking device to include two opposing assemblies, each assembly including at least one tucking blade on a rotary paddle or at least one tucking blade conveyed along a track that guides the tucking blade(s) a distance alongside the conveyor(s). Furthermore, Claim 14 also requires the apparatus to include a device for pushing the side panels onto the body portion while, *at the same time*, the vacuum is holding the body portion on the conveyor.

In contrast, the apparatus in Westphal does not include any tucking blades on a rotary paddle, nor any tucking blades that are conveyed along a track alongside the conveyor(s). Instead, the Westphal apparatus includes a plunger head that pushes the garment off of the conveyor belt assemblies and into a folding and pleating cone, and pleating rods that push the side portions of the garment into the body portion of the garment. Neither the plunger head nor the pleating rods nor any

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other components of the Westphal apparatus are on a rotary paddle or are conveyed along a track alongside a conveyor.

In further contrast with Applicants' claimed apparatus, Applicants maintain that the apparatus in Westphal includes a tucking device that performs the tucking operation on a garment *after* the garment has been removed from the conveyor belt assemblies and suction systems. More particularly, as shown in Fig. 1 and described at Col. 6, lines 1-7, of Westphal, the plunger head 148 and the folding and pleating cone 150 are disposed on opposite sides of the conveyor assemblies 32, 34. The plunger head is disposed on a first side of the conveyor assemblies and the cone is disposed on a second side of the conveyor assemblies, such that when a garment is aligned on the conveyor assemblies between the plunger head and the cone, the plunger head is then pushed from the first side into the garment, and both the plunger and the garment are then pushed into the cone on the second side of the conveyor assemblies. Since the tucking takes place on the pleating rods extending from an end of the cone opposite the conveyor assemblies, the garment is not in contact with the conveyor assemblies or the suction system when the side portions of the garment are pushed onto the body portion of the garment.

For at least the reasons presented above, Applicants respectfully submit that Claim 14 is not anticipated by Westphal. Because Claims 15-20, 23, and 25-28 depend from Claim 14, these claims are also not anticipated by Westphal. Thus, Applicants respectfully request withdrawal of this rejection.

Claim Rejections - 35 U.S.C. §103

A. Maxton et al.

The rejection of Claim 6 under 35 U.S.C. §103(a) as being unpatentable over Maxton et al. (U.S. Patent No. 6,497,032) is respectfully traversed. More particularly, Applicants requested cancellation of Claim 6 in the Amendment filed 18 October 2005, thereby rendering this rejection moot.

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B. Maxton et al. in view of Westphal et al.

The rejection of Claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over Maxton et al. (U.S. Patent No. 6,497,032, hereinafter "Maxton") in view of Westphal et al. (U.S. Patent No. 4,739,910, hereinafter "Westphal") is respectfully traversed, particularly in view of the above Amendment and the following remarks.

As explained above, both Maxton and Westphal fail to disclose or suggest the use of a mechanical tucking device for pushing opposing side panels onto the body portion of a garment that includes two opposing assemblies, with each assembly including either at least one tucking blade on a rotary paddle or at least one tucking blade conveyed along a track that guides the tucking blade(s) a distance alongside the conveyor. More particularly, neither Maxton nor Westphal disclose or suggest using opposing assemblies with tucking blades that are set in motion.

There is no suggestion or motivation in either Maxton or Westphal to use opposing assemblies with moving tucking blades. In Maxton, the tucking mechanism includes stationary helical skis. In Westphal, the tucking mechanism includes a moving plunger head that works in combination with a stationary folding and pleating cone and stationary pleating rods. None of these tucking devices in Maxton or Westphal are on a rotary paddle or are conveyed along a track alongside a conveyor. To include opposing assemblies with moving tucking blades in either Maxton or Westphal would substantially alter the methods and the apparatus disclosed in both Maxton and Westphal. Since there is no suggestion or motivation to modify either Maxton or Westphal to include the use of opposing assemblies with moving tucking blades, there is no reasonable expectation of success in achieving Applicants' claimed method based on the teachings of Maxton and Westphal.

Furthermore, in Westphal, garments proceed along the conveyor assemblies with the garments arranged perpendicular to the direction in which the garments in Maxton proceed along a conveyor. Because the garments in Westphal are conveyed in a completely different orientation than the garments in Maxton, the apparatus of the two inventions necessarily differ from one another. There is no suggestion or motivation to a person skilled in the art to combine the teachings of

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Maxton and Westphal because the processes and apparatus in these two references are so different from one another that a combination thereof would be repugnant to each of the references individually.

For at least the reasons given above, Applicants respectfully submit that the teachings of Maxton in view of Westphal fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

C. Westphal et al.

The rejection of Claims 24 and 29 under 35 U.S.C. §103(a) as being unpatentable over Westphal et al. (U.S. Patent No. 4,739,910, hereinafter "Westphal") is respectfully traversed, particularly in view of the above Amendment and the following remarks.

As explained above, Westphal fails to disclose or suggest a tucking device that includes *two* opposing assemblies, *each assembly including at least one tucking blade on a rotary paddle or at least one tucking blade conveyed along a track that guides the tucking blade(s) a distance alongside the conveyor(s)*. Contrary to the Examiner's assertion, the pushing assembly in Westphal is not equivalent to Applicants' recited tucking blades.

For example, in Applicants' recited method, the vacuum zone holds the garment in place on the conveyor while the tucking device pushes the side panels onto the body portion, such that the location of the folds is dependent on the dimensions of the vacuum zone. In contrast, the folding and pleating cone and the pleating rods determine the location of the folds in Westphal. One benefit of Applicants' claimed invention is that the location of the folds can be easily adjusted simply by adjusting the vacuum zone. Westphal fails to provide such convenience.

Additionally, by using the recited tucking blades, Applicants' claimed invention provides that different sizes and/or shapes of tucking blades can be used for products of different sizes, and a tucking blade can also be shaped or adapted to provide unequal tucking of front versus back panels, or waist edge of the panel versus leg edge, as explained at page 17, lines 29-31. Westphal further fails to disclose or

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suggest such flexibility through the use of a plunger in combination with a folding and pleating cone and pleating rods.

Furthermore, the pushing assembly in Westphal is specially designed not only to tuck the sides into the garment, but also the invert the garment. It is unclear how a rotary paddle including at least one tucking blade could be used to invert a garment. Thus, the pushing assembly in Westphal is not equivalent to Applicants' recited tucking blades.

Even if a rotary paddle and/or a driven stacker assembly were combined with the apparatus of Westphal, there is still no suggestion or motivation to modify the apparatus of Westphal in such a manner that the side panels may be pushed onto a body portion of a garment while a vacuum is holding the body portion on a conveyor, as recited in Applicants' independent Claim 14. Such a modification would require drastic changes to the method as well as to the apparatus of Westphal, none of which are suggested therein.

For at least the reasons given above, Applicants respectfully submit that the teachings of Westphal fail to disclose or suggest Applicants' claimed invention. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

D. Westphal et al. in view of Kober

The rejection of Claims 21 and 22 under 35 U.S.C. §103(a) as being unpatentable over Westphal et al. (U.S. Patent No. 4,739,910) in view of Kober (U.S. Patent No. 5,300,007) is respectfully traversed. More particularly, Applicants have requested cancellation of Claims 21 and 22, thereby rendering this rejection moot.

Conclusion

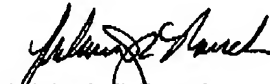
Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not addressed in this response, Applicants' undersigned attorney requests a telephone interview with the Examiner.

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Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



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